

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj & Rural Development Department – Allegations of corruption against Accused Officers namely (1) Sri Syed Peda Sysa, former EO and (2) Sri N. Gopal Rao, former Jr. Asst., GP Penuganchiprolu of Krishna District – Trapped by the ACB officials on 06.06.1994 when they demanded and accepted bribe from the complainant – Prosecuted in a court of law under Prevention of Corruption Act, 1988 – Charge sheet filed - Acquitted – Criminal Appeal filed in the APHC – Dismissed – Further action dropped –Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No. 380

Dated:06.03.2013

Read the following:-

1. From the Director General, ACB, Hyderabad, Rc.No.80/RCT-VKI/1994, Dated:21.09.1994.
2. G.O.Ms.No.276 and 277 PR & RD (Estt.IX) Deptt., dt.17.05.95.
3. From the Spl. Judge for SPE & ACB Cases, at Vijayawada, Judgement dated:4.8.2004 in CC.No.9 of 1995.
4. From the DG, ACB, Hyd., Rc.No.80/RCT-VKI/94, Dt.11.11.04.
5. Govt.Memo.No.10710/Vig.IV/A1/2004-1, dt.25.10.04.
6. Judgement dt.27.02.2012 of the Hon'ble APHC in CrI. Appeal No.148 of 05
7. From the Director General, ACB, Hyderabad, Rc.No.80/RCT-VKI/1994, Dt.02.05.2012.

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ORDER:

It has been brought to the notice of the Government that S/Sri Sri Syed Peda Sysa, former Executive Officer and Sri N. Gopal Rao, former Junior Assistant, Gram Panchayat Penuganchiprolu of Krishna District were trapped by the Anti-Corruption Bureau Officials on 06.06.1994 when they demanded and accepted an amount of Rs.2,400/- as bribe from one Sri D. Narasaraju complainant for showing the official favour in preparing and delivering Rs.21,994/- towards the works executed by him. As a result, they were placed under suspension, after reviewing their case, they were reinstated into service without prejudice to the disciplinary / criminal case pending against them.

2. In the reference 1st read above, the Director General, Anti-Corruption Bureau, Hyderabad in his final report, has recommended to prosecute the Accused Officers namely Sri Syed Peda Sysa, former Executive Officer and Sri N. Gopal Rao, former Junior Assistant, Gram Panchayat Penuganchiprolu of Krishna District in a court of law for the offences punishable under section 7, 11, 13 (2) read with 13 (1) (d) of the Prevention of Corruption Act, 1988 read with Section 34 IPC.

3. Government have examined the matter and accord sanction for prosecution of the Accused Officers in a Court of law vide reference 2nd read above. Thus, the Director General, Anti-Corruption Bureau, Hyderabad filed charge sheets against the Accused Officers in the Court of the Spl. Judge for SPE & ACB Cases, Vijayawada.

4. In the reference 3rd read above, the Hon'ble Court of the Spl. Judge for SPE & ACB Cases, Vijayawada, has delivered the Judgement dated: 4.8.2004 in CC.No.9 of 1995, wherein the Accused Officers viz., Sri Syed Peda Sysa, former Executive Officer and Sri N. Gopal Rao, former Junior Assistant, Gram Panchayat Penuganchiprolu of Krishna District were acquitted under section 248 (1) Cr.P.C. for the charges under sections 7 and 13(1)(d) r/w 13 (2) of the Prevention of Corruption Act, 1988.

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5. In the reference 4th read above, the Director General, Anti-Corruption Bureau, Hyderabad while enclosing a copy of the Judgement of the trial court, has requested the Government to accord permission to file an appeal in the High Court of Andhra Pradesh against the acquittal Judgement of the Hon'ble Spl. Judge for SPE & ACB Cases, Vijayawada, dt.04.08.2004 in C.C.No.9 of 1994.

6. Accordingly, the Government accorded permission to the Director General, Anti-Corruption Bureau, Hyderabad to file an appeal in the High Court of Andhra Pradesh, in the reference 5th read above. The Director General, Anti-Corruption Bureau, Hyderabad had filed Criminal Appeal No.148/2005 in the High Court of Andhra Pradesh.

7. The Hon'ble High Court of Andhra Pradesh, in its Judgement dt.27.02.2012 in Crl. Appeal No.148 of 2005, has dismissed the Crl. Appeal filed by the Director General, Anti-Corruption Bureau while confirming the judgement of the trial Court vide reference 6th read above. The Director General, Anti-Corruption Bureau has reported that the bureau is of the opinion that, there are no valid grounds to prefer S.L.P. in the Apex Court.

8. The Government after careful examination of the matter and having the circumstance of the case, have decided to drop further action against the Accused Officers viz. 1) Sri Sri Syed Peda Sysa, former Executive Officer and 2) Sri N. Gopal Rao, former Junior Assistant, Gram Panchayat, Penuganchiprolu of Krishna District, keeping in view the Judgement pronounced by the Hon'ble High Court of Andhra Pradesh in Crl. Appeal No.148 of 2005 in C.C.No.9 of 1995. Accordingly, Government hereby drop further action against the above two (2) Accused Officers.

9. The Commissioner, Panchayat Raj & Rural Employment, Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

- 1) The individual **through** the Commissioner, PR&RE, AP-Hyderabad.
- 2) The Commissioner, Panchayat Raj & Rural Employment, AP-Hyderabad.

Copy to:-

- 3) The District Collector (PW), Krishna District.
- 4) The Director General, Anti-Corruption Bureau, Hyderabad.
- 5) The Secretary to Vigilance Commissioner,
A.P. Vigilance Commission, Hyderabad.
- 6) The Dist. Audit Officer, State Audit, Krishna District.
- 7) The District Treasury Officer, Krishna District.
- 8) The Accountant General, A.P. Hyderabad.
- 9) The P.S. to Principal Secretary (PR)
- 10) SF/SC.

// FORWARDED BY :: ORDER //

SECTION OFFICER.